

OCT 28 2005



Attorneys at Law

Suite 2800 1100 Peachtree St.  
Atlanta GA 30309-4530  
t 404 815 6500 f 404 815 6555  
www.KilpatrickStockton.com

October 28, 2005

direct dial 404 815 6218  
direct fax 404 541 3219  
BGray@KilpatrickStockton.com

**FAX**

RECIPIENT/ PHONE NO.	FAX NO.	COMPANY/ CITY, STATE, COUNTRY
Centralized Fax Dept. Examiner James R. Brittain Group Art Unit 3677	571-273-8300	United States Patent & Trademark Office

Christopher J. Chan

FROM

4677

REFERENCE NO

12

PAGES (WITH COVER)

45626/284123

CLIENT/MATTER NO.

PLEASE CALL 404 815 6497 IF YOU HAVE DIFFICULTY WITH THIS TRANSMISSION.

**CONFIDENTIALITY NOTE:**

The information contained in this fax message is being transmitted to and is intended for the use of the individual named above. If the reader of this message is not the intended recipient, you are hereby advised that any dissemination, distribution or copy of this fax is strictly prohibited. If you have received this fax in error, please immediately notify us by telephone and destroy this fax message.

**COMMENTS**

Please acknowledge receipt of the enclosed:

1) Transmittal Form PTO/SB/21

2) Response to Non-Compliant Amendment

For: Applicant(s): Vick

Application No.: 10/767,579

Filing Date: January 29, 2004

Title: Associated Decivice of a Composite Restraint System For Securing Freight

Attorney Docket No. 45626/284123

**TO BE COMPLETED BY KS OPERATIONS CENTER**

TRANSMISSION RECEIPT DATE/TIME: \_\_\_\_\_

COMPLETED BY: \_\_\_\_\_

JOB CODE

9/6 111

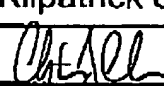
PTO/SB/21 (09-04)

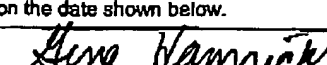
Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  <small>(to be used for all correspondence after initial filing)</small>	Application Number	10/767,579	<b>RECEIVED CENTRAL FAX CENTER OCT 28 2005</b>
	Filing Date	January 29, 2004	
	First Named Inventor	Vick	
	Art Unit	3677	
	Examiner Name	Brittain, James R.	
Total Number of Pages in This Submission	11	Attorney Docket Number	45626/284123

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Postcard
<b>Remarks</b>  		
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm	Kilpatrick Stockton LLP	
Signature		
Printed Name	Christopher J. Chan	
Date	October 28, 2005	Reg. No. 44,070

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Gina Hamrick	Date	October 28, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED  
CENTRAL FAX CENTER

OCT 28 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Vick  
SERIAL NO.: 10/767,579 GROUP ART UNIT: 3677  
FILED: 1/29/2004 EXAMINER: Brittain, James R.

FOR: Associated Device of a Composite  
Restraint System For Securing  
Freight

**CERTIFICATE OF TRANSMITTAL**  
I hereby certify that this correspondence is being  
facsimile transmitted to the U.S. Patent and  
Trademark Office's Centralized Facsimile Number of  
571.273.8300 on October 28, 2005.

  
Gina Hamrick

Attorney Docket No.: 45626/284123

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

**RESPONSE TO NON-COMPLIANT AMENDMENT**

Sir or Madam:

In response to the Notice of Non-Compliant Amendment (37 CFR 1.121) mailed October 5, 2005, Applicant re-submits the amendments made in the Amendment and Response mailed on September 29, 2005. Kindly replace the Amendment and Response mailed on September 29, 2005 with this corrected document and enter the following amendments and consider the appended remarks.

*In re Application of: Vick*  
*Serial No. 10/676,579*  
*Filing Date: January 29, 2004*  
*Page 2 of 10*

On June 29, 2005, a non-final Office Action (Paper No. 06272005) was mailed for the above-application. The present response is submitted to amend the claims and place the application in condition for allowance.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks** begin on page 7 of this paper.

**Conclusion** begins on page 10 of this paper.